

FILED

FEB 01 2023

UNITED STATES DISTRICT COURT

for the
Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY PAT DEP CLK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail Express Package EI524141899US located
at Building 3-3026 Fort Bragg, NC 28310

Case No.

7:23-mj-1020-JG

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Package EI524141899US located at Building 3-3026 Fort Bragg, NC 28310

located in the Eastern District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

Controlled substances, packaging for controlled substances, U.S. currency, or proceeds and payments, and documents reflecting the distribution of controlled substances through the U.S. Mail.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841(a)	Distribution/Possession with Intent to Distribute Controlled Substances
21 USC 846	Conspiracy to Distribute Controlled Substances

The application is based on these facts:
See attached Affidavit.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sebastian C. Piñeiro

Applicant's signature

Sebastian Piñeiro, Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone (specify reliable electronic means).

Date:

1 February 2023

City and state: Raleigh, North Carolina

[Signature]
Judge's signature

James Gates, United States Magistrate Judge

Printed name and title

AFFIDAVIT

1. I, Sebastian Piñeiro, being duly sworn, depose and state that I am currently a Law Enforcement Officer employed with the City of Fayetteville Police Department, and have been so employed since May of 2005. I attended the Basic Law Enforcement Training at the City of Fayetteville Police Academy, where I completed over six hundred and ninety-one hours of training from certified police instructors. A portion of this training included instruction on narcotics activity at the street level. Upon successful completion of the field-training program, I was assigned to patrol, where I made multiple felony and misdemeanor arrests for controlled substance related offenses. I received training, attended classes, and have field experience in the operations of a street-level narcotics investigation. I have completed courses and training that included the use of hidden compartments, and which also focused on the manner in which narcotics are transported and packaged for trafficking. I have completed the Drug Enforcement and Drug Identification for Patrol Officers training, which focused on the transport, recognition, packaging, and testing of illegal narcotics. I have attended and successfully completed the Search Warrant Writing Class given by the Justice Academy in Salemburg, NC. I have developed, obtained information from, and used confidential sources of information during the investigation of street-level narcotics and alcohol. I am familiar with many types of controlled substances and also the ways that they are manufactured, packaged, transported, and sold. I have participated in undercover narcotic-controlled purchases with the Fayetteville Narcotics Unit. I have developed information which led to over twenty search warrants which resulted in the seizure of narcotics and weapons. In my capacity as a Narcotics Detective, I have worked in investigations of gangs, guns, and narcotic sales, as well as using confidential informants. I am currently assigned as a Task Force Officer to the Contraband Interdiction and Investigations Team in Raleigh, North Carolina and am responsible for the investigation of narcotics, drug trafficking organizations, and money laundering via the United States Postal Service. I have received training by the United States Postal Inspection Service (USPIS), and members of the USPIS, in the investigation of controlled substances or proceeds/payments being transported through the United States via the Postal Service.
2. This affidavit is submitted for the limited purpose of establishing probable cause for the search warrant(s) sought. I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient to establish probable cause that violations of Title 21, United States Code Sections 841 (a)(1), 846, and have occurred, are occurring, and will occur. The information contained in this affidavit is based upon my personal knowledge and investigation, as well as information conveyed to me by other law enforcement agents and employees.
3. On January 31, 2023, I reviewed inbound mail at the United States Postal Facility at 301 Green Street, Fayetteville, North Carolina, 28301. While present, I observed Priority Mail Express parcel bearing tracking number EI524141899US (hereafter referred to as the SUBJECT PARCEL) in transit to 2104 Capital Drive Suite 107, Wilmington, North

CS6

Carolina 28405. The Priority Mail Express package was listed as being addressed from 1548 Le Flore Drive, LaHabra Heights, California, 90631.

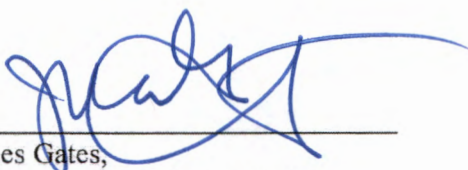
4. The SUBJECT PARCEL is described as follows:
 - a. Addressed to: "Rob Brum 2104 Capital Dr, Suite 107 Wilmington NC 28405"
 - b. From: "Jake Harp 1548 Le Fore Dr, LaHabra Heights CA 90631"
 - c. Size: approximately 12 x 10 x 8
 - d. Weight: approximately 15 pounds 20 ounces
 - e. Postage affixed: \$152.20
 - f. Physical description: Brown cardboard box, with writing "**SEAL IT* *SEND IT*" bearing tracking number EI524141899US
5. I conducted a review of available law enforcement databases and determined the name (Jake Harp) on the SUBJECT PARCEL as the sender is not associated with the address of 1548 Le Flore Drive, La Habra Heights, California, 90631. Furthermore, the recipient's name (Rob Brum) on the SUBJECT PARCEL is associated with the address of 2104 Capital Drive Suite 107, Wilmington, North Carolina 28405. The SUBJECT PARCEL was subsequently pulled from the mail stream for additional examination.
6. I am aware, through my training and experience, that people who utilize the U.S. Mail to distribute controlled substances and/or monetary payments related seldomly use real names and addresses in different combinations (real sender/ fake receiver, fake sender/ real receiver, fake sender/ fake receiver) but do so in an attempt to avoid detection by law enforcement agencies. I am also aware, through training and experience, that California is used for distributing narcotics and receiving narcotics proceeds. Also, the sender has waived signature requirement for the parcel. This is common practice by narcotic traffickers add plausible deniability if the parcel gets intercepted by Law Enforcement.
7. I am aware, also through my training and experience, that people often use the U.S. Mail, specifically Priority Mail Express and Priority Mail, for the delivery of controlled substances and narcotics proceeds for various reasons, some of which are listed below:
 - a. Items sent via Priority Mail Express and Priority Mail cannot be examined without a federal Search Warrant.
 - b. Priority Mail Express and Priority Mail are generally expected to be delivered in one to three days. This assures the sender of an expedited delivery.

- c. Priority Mail Express and Priority Mail allow for various dispatch times (times which a mailed item is transported to the next destination) which are available to customers upon request and provides the sender an opportunity to have some control as to the arrival of the mailed item.
 - d. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mail can do so without having to provide identification. This reduces the possibility of revealing their true identity.
 - e. Individuals use the U.S. Mail to send payment, often large sums of U.S. Currency, for the controlled substances they have purchased. Based upon my training and experience, I know that it is common for the currency to come into contact with the narcotics during drug transactions. As a result, it is common for the currency/drug proceeds to pick up the odor of narcotics.
8. On January 31, 2023, at approximately 11:28 A.M., a line of parcels was set up at a location in Fayetteville, North Carolina. The parcels were set up in an area which is not used to store or maintain any controlled substances. The line of parcels consisted of the SUBJECT PARCEL and three additional parcels of similar shape and size. The three additional parcels were prepared by me and did not contain any controlled substances in them. I then met with Fayetteville Police Department K-9 Officer Hoke, DSN 262, and his narcotic trained K-9, Chole. K-9 Chole is a certified and trained illegal narcotic detecting dog with over 500 hours of training in the detection of controlled substance. K-9 Officer Hoke had Chole search the parcel lineup for the odor of controlled substances. K-9 Officer Hoke advised that Chole alerted on the SUBJECT PARCEL. K-9 Officer Hoke stated that, in the past, Chole's alerts have led to the apprehension of narcotics traffickers and the seizure of controlled substances. K-9 Officer Hoke advised that he is very familiar with Chole's actions, having worked with her since June 2022, and is certain Chole was alerting on the SUBJECT PARCEL. K-9 Officer Hoke has previously advised that Chole alerts to the odor of various controlled substances such as cocaine base, cocaine hydrochloride, heroin, methamphetamine, and marijuana. K-9 Officer Hoke stated, based upon his experience, that he believed Chole entered a final response and alerted to the SUBJECT PARCEL based upon detecting the odor of controlled substances.
9. Based on the above facts, I have probable cause to believe that the SUBJECT PARCEL contraband and/or evidence in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Therefore, I respectfully request that a Search Warrant be issued for the SUBJECT PARCEL.

Sebastian E. Piñeiro
SEBASTIAN E. PIÑEIRO
Task Force Officer
U.S. Postal Inspection Service

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit.

Dated: ~~January~~ ^{FEBRUARY 1}, 2023



James Gates,
United States Magistrate Judge